IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION. 130 OF 2006

Sanmukh Pandurang Naidu .... Applicant

versus

The State eof Maharashtra & ors. ... Respondents.

Shri Nitin Sejpal & Miss Pooja Bhojane for the appellant.

Shri R.Y.Mirza APP for State.

CORAM; V.M. KANADE, J.

DATED; JANUARY 27, 2006.

P.C:

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. The applicant was arrested in August 2005 in connection with an offence punishable under section 302 of IPC. The charge sheet has been filed. The learned APP states that already 5 to 6 witnesses have been examined and the trial is likely to be over in short time.

3. I have perusded the charge sheet and found that one witness has seen the applicant assaulting the deceased and one witness, the father of the deceased has seen the present applicant along with others running away

from the scene of offence and at that time applicant was carrying sword in his hand. In my view this is not a fit case for bail. Secondly the trial has already begun against the present applicant. The application for bail is therefore rejected. The trial court shall not influenced by any observations made by this court while deciding this criminal application and it will not be construed as an expression of opinion on merits of the case.

4. Application is therefore rejected. Hearing of trial is expedited.

...